

12(b)(6). However, because [she] requested and was granted an extension of time to file her response, the court will consider the amended complaint timely and therefore permitted as a matter of course”); Jackson v. Merscorp Inc., 2013 WL 12190523, *1 (M.D.N.C May 20, 2013) (same).

Plaintiff filed her Motion for Leave to Amend within the extended time frame for responding to Defendant’s Motion. See Text-Only Order entered October 22, 2020 (granting requested extension to November 29, 2020, a Sunday. Plaintiff’s Motion filed November 30 is timely). Accordingly, the amendment is as a matter of course. Additionally, Defendant consents to the amendment.

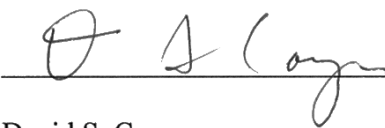
It is well settled that an amended pleading supersedes the original pleading and that motions directed at superseded pleadings are to be denied as moot. Young v. City of Mount Ranier, 238 F. 3d 567, 573 (4th Cir. 2001) (amended pleading renders original pleading of no effect); Turner v. Kight, 192 F. Supp. 2d 391, 397 (D. Md. 2002) (denying as moot motion to dismiss original complaint on grounds that amended complaint superseded original complaint).

IT IS THEREFORE ORDERED that:

1. Plaintiff’s “Motion for Leave to File First Amended Complaint” (document #14) is **GRANTED**. Plaintiff shall file her First Amended Complaint within five days of this Order.
2. “Defendant’s Motion to Dismiss Plaintiff’s Complaint” (document # 11) is administratively **DENIED** as moot without prejudice.
3. The Clerk is directed to send copies of this Order to counsel for the parties and to the Honorable Martin Reidinger.

SO ORDERED.

Signed: December 1, 2020



David S. Cayer
United States Magistrate Judge

